

IN BOARD OF SELECTMEN
MONDAY, NOVEMBER 22, 1982

Present: Chairman William J. Cossart, John E. Murray and Anne W. Donald.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman William J. Cossart.

Utility Petition 82-25, Landham Road

Present: Robert Malis, Boston Edison Company.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered Utility Petition 82-25 of Boston Edison Company and New England Telephone and Telegraph Company, for permission to erect or construct, and a location for, one pole, and such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, to be used in common by them, upon, along and across the following public way of the Town:

Landham Road, easterly side approximately 519 feet south of Boston Post Road,
One (1) pole and One (1) hip guy and anchor.

Executive Secretary Richard E. Thompson stated that all appropriate Town officials and abutters had been notified and that a favorable joint report, dated November 18, 1982, had been received from the Wiring and Building Inspectors.

Following a brief explanation by Robert Malis of Boston Edison Company, it was on motion by Selectman Murray unanimously

VOTED: To approve Utility Petition 82-25 of Boston Edison Company and New England Telephone and Telegraph Company, as described above, and as shown on a plan entitled, "Plan of Landham Rd., Sudbury, Showing proposed pole location & hip guy", dated September 1, 1982.

Marlborough CETA Program

The Board was in receipt of a communication dated November 12, 1982, from Mayor Joseph A. Ferrecchia of Marlborough requesting the Town's support for the purpose of insuring the continuation of the Marlborough CETA Subgrantee, authorized by the Federal Job Training Partnership Act, signed into law October 13, 1982. This consortium provides 21 communities with employment and training services and has done so since 1974.

Following a brief discussion, it was on motion by Selectman Donald unanimously

VOTED: To sign a letter of support to Marlborough Mayor Joseph A. Ferrecchia relative to the Marlborough CETA administration services and the continuance of the same.

Quarterly Billing - Real Estate Taxes

Relative to a communication from Ruth M. O'Loughlin, Temporary Town Manager of Methuen, dated November 10, 1982, seeking a similar filing by Sudbury or support of Methuen's filing of permissive legislation for the purpose of the quarterly

billing of real estate taxes, and during discussion, it was the consensus of the Board to support the same, subject to comment by the Tax Collector. The Board agreed that this process would be advantageous from the standpoint of cash flow, while, at the same time, it could present some problems from the administrative standpoint.

Water Main Easement - Sudbury Landfill

It was on motion by Selectman Murray unanimously

VOTED: To execute a water main easement granted to the Sudbury Water District on a portion of the Town Sanitary Landfill on Boston Post Road, as shown on a plan entitled, "Plan of Land in Sudbury, Massachusetts Showing Proposed Water Easement", drawn by the Sudbury Engineering Department, dated July 7, 1982, in accordance with Article 16 of the October 7, 1982 Special Town Meeting, to accommodate the Wayland/Sudbury Septage Disposal Facility.

Appointments - Special Police Officers

On the subject of Special Police appointments, Executive Secretary Richard E. Thompson explained that, after the Board's recent appointments to that position, Mrs. Carol A. Stearns had called to remind the office that she and her husband had requested appointment to that position some time ago, and stated that they are both still interested in having their requests considered.

Mr. Thompson stated that Police Administrative Assistant Peter Lembo had no objections to these additional appointments.

It was on motion by Selectman Donald

VOTED: To appoint John A. Stearns and Carol A. Stearns, both of 125 Pelham Island Road, as Special Police Officers, effective immediately, for a term to expire April 30, 1983.

(Chairman Cossart, in favor; Selectman Donald, in favor; Selectman Murray, present.)

Perpetual Trail Easement, off Lincoln Road

Following a brief explanation by the Executive Secretary, during which he stated the Conservation Commission had given verbal approval, it was on motion by Selectman Donald unanimously

VOTED: To execute and accept a perpetual Trail Easement granted by Mark D. Hurwitz of Strawberry Preserves Farms, Charlton City, MA., over a 36.6 acres parcel of land, as shown on a plan entitled, "Compiled Plan in Sudbury, Massachusetts owned by: United States of America", dated April 13, 1982, (the former Shick land) off Lincoln Road, to provide public access in accordance with Article 37 of the 1982 Annual Town Meeting.

Minutes

It was on motion by Selectman Donald unanimously

VOTED: To approve, as drafted, the minutes of the Regular Session of November 18, 1982, excluding one uncompleted segment which was a joint meeting with the Sudbury Players regarding their use of Town Hall and subject to approval by the Board at a later date.

Funds Expended - Fairbank School

At the direction of the Board at its November 18 meeting, the Executive Secretary submitted a report dated November 17, 1982, showing a breakdown of the funds expended on the Fairbank School maintenance for the purpose of determining if there is sufficient money remaining to purchase two metal-framed exterior doors for the Fairbank School, as recommended by Douglas Lewis, security and maintenance person for the excessed schools.

Chairman Cossart directed the Executive Secretary to further clarify how much money had actually been spent in accordance with the October 7, 1982 Special Town Meeting Article #1 - a \$10,000 appropriation for the roof (\$3,000), furnace (\$5,000) and security (\$2,000), and how much had been spent under the Building Department Maintenance Account #340-32, for renovations and repairs to the Fairbank School, prior to taking any action on the purchasing of the doors. (It was understood that some corrective transfers would be necessary between Article 1 and Account 340-32, and Mr. Thompson stated he would be sending a memo to the Building Inspector directing the same.)

Resignation - Long Range Capital Expenditures Committee (LRCEC)

It was on motion by Selectman Donald unanimously

VOTED: To accept the resignation from James R. Becker, Jr., dated November 16, 1982, from the LRCEC, and to direct the Executive Secretary to forward a letter of appreciation, on the Board's behalf, to Mr. Becker for his service on the LRCEC.

Vacancy - Park and Recreation Commission

The Board acknowledged receipt of a communication from Robert Myers, Chairman of the Park and Recreation Commission, dated November 18, 1982, requesting a joint meeting with the Board of Selectmen for the purpose of filling the vacancy caused by the resignation of Russell Gessner, effective November 19. The Board directed the Executive Secretary to schedule that meeting for December 13 or later in order to allow two weeks for the Park and Recreation Commission to advertise the vacancy, which, Mr. Thompson stated, the Commissioners want to fill as soon as possible rather than wait until the next annual election.

Town Fathers Forum

At 8:00 p.m. Chairman Cossart convened the 147th Session of the Town Fathers Forum, a copy of which is attached and is a part of these minutes.

Town Facilities Committee Meeting

Selectman Murray stated that he will meet with the Town Facilities Committee to discuss the Loring and Fairbank Schools, Wednesday, November 24, at 8:00 p.m., at Loring Parsonage.

Affidavit

The Board was in receipt of an affidavit in conjunction with the will of Ruth G. Wood certifying that the Sudbury Historical Society agrees to place the grandfather clock, willed to it by Mrs. Wood to the Town, in the Hosmer House upon completion of the renovations. The affidavit was signed by Dorothy A. Emmons, Chairman of the Sudbury Historical Society, November 10, 1982.

Water Analysis

Chairman Cossart reviewed briefly with the Board local water sampling tests dated October 5, 1982, from the Sudbury Water District, and Sanitary Landfill leachate samples dated November 8, 1982, from the Board of Health. After discussion it was agreed that Chairman Cossart would continue to coordinate efforts with the Board of Health and the Water District to broaden/modify Sudbury's ground water testing program and improve reporting procedures between the various Town agencies.

Sudbury River Diversion Project

Selectman Donald stated that neither she nor Frank A. Scofield had attended the Advisory Committee meeting relative to the preliminary draft environmental report of the proposed Sudbury River Diversion Project, held earlier this day (8:00 a.m.), but that Mr. Scofield had reported to Selectman Donald that he had contacted the Chairman of that Committee that he had no additional input or concern with the information at this time.

Bottle Bill

On the subject of the bottle bill, Selectman Donald proposed that the Board support no further delay in the implementation of the same, and after discussion, no action was taken.

Site Plan 82-249 - Hingham Shoe, Union Avenue

Present: Building Inspector Joseph E. Scammon; Atty. John C. Powers and Edward Tucker, of Hingham Shoe, Inc. & Sudbury Nominee Trust.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws the Board considered site plan 82-249 of Hingham Shoe, Inc. & Sudbury Nominee Trust, for property located at 75, 81, 83 Union Avenue, Industrial District #2, for a retail clothing and shoe store.

Executive Secretary Richard E. Thompson stated that all appropriate Town officials and abutters had been notified and noted receipt of the following communications:

- dated October 19, 1982, from the Town Engineer, recommending conditional approval based on the following: two additional parking spaces be shown on the plan (there is sufficient area on the site for the same); and action from the Board of Appeals for the proposed use in the Industrial Zone District;
- dated November 18, 1982, from the Planning Board recommending approval;
- a verbal recommendation from the Chairman of the Conservation Commission, Richard O. Bell, stating no concern;
- dated November 19, 1982, from the Board of Health stating that the building shall not be occupied until the proposed septic system (a joint system for both buildings) is installed to the Board's specifications; and
- dated November 18, 1982, from the Building Inspector, recommending approval conditioned that 2 additional parking spaces be shown on the plan and 6 spaces shown on the upper left of the plan be changed to angular parking since they are not deep enough to comply with the by-law as they are now shown.

Both the Building Inspector and the Town Engineer recommended in their reports that the Landscape By-law be waived. The Building Inspector stated that it is not applicable because there are only minor changes being proposed to the site.

Atty. John C. Powers, for the applicant, explained that this is a site plan with no changes (except improvements to the parking and the septic system), that it is the former West Sport location; and that the proposed use is for a retail clothing and shoe store.

During discussion, it was concluded that the site could accommodate the addition of 2 parking spaces and the revision of six as suggested by the Building Inspector; that the septic system would comply with the Board of Health's specifications; that the Board of Appeals has the authority to issue a Special Permit for the proposed use since the site is located in an Industrial District.

Atty. Powers stated that the Board of Appeals has extended its hearing, not to exceed November 30, on the site pending site plan approval from the Board of Selectmen.

At the conclusion of discussion, it was on motion by Selectman Donald unanimously

VOTED: To approve site plan 82-249 of Hingham Shoe, Inc. & Sudbury Nominee Trust, for property located at 75, 81 and 83 Union Avenue, Industrial District #2, as shown on a plan entitled, "Site Plan in Sudbury, Mass.", dated November 5, 1982, subject to revisions to the plan regarding parking spaces as discussed above, and further subject to a Special Permit from the Board of Appeals for the proposed use.

Hunting

Chairman Cossart stated the Conservation Commission will be meeting December 8 to discuss the question of whether to continue issuing permits allowing hunting on Sudbury conservation lands.

During discussion, the Selectmen agreed that the Town has grown to such a density that allowing hunting on public property is not in the best interest of local public safety.

At the conclusion of discussion, it was on motion by Selectman Donald unanimously

VOTED: To direct the Executive Secretary to send a letter, on behalf of the Board, to the Conservation Commission recommending support of the banning of hunting on all public property in Sudbury, with a copy to the Park and Recreation Commission.

Town Historian

Chairman Cossart stated that he had relayed to Forrest Bradshaw the Board's support of his re-appointment to the position of Town Historian and also indicated to him that former Town Historian George D. Max could not be committed to re-appointment at this time. Chairman Cossart stated that as soon as he hears from Mr. Bradshaw regarding his final intention, he will report back to the Board.

Town Government Space Requirements

Responding to Chairman Cossart, Executive Secretary Richard E. Thompson stated that he had met with the Town Engineer regarding the above-captioned subject and that he planned to schedule a daytime meeting with any interested Town employees for their latest consensus and input. Mr. Thompson added that the Town Engineer has some serious concerns regarding the electrical and heating systems at the Town Hall, and that, following the meeting with employees, and further consultation with the Town Engineer, he would report back to the Board.

Middlesex County Advisory Committee Budget Hearing

Selectman Donald stated that she planned to attend the Middlesex County Advisory Committee Budget Hearing on December 1.

Senior Citizens Christmas Party

The Board acknowledged the Senior Citizens' Christmas party, scheduled for December 10 at the Wayside Inn at 2:00 p.m.

Willow Hill School

Executive Secretary Richard E. Thompson informed the Board that he had received in the office several letters from students attending the Willow Hill School requesting that they be allowed to continue to use the theater located in the upper Town Hall. The Board reviewed the same and asked the Executive Secretary to place them on file.

Wayland/Sudbury Boundary Change

Mr. Thompson stated that he had contacted the Selectmen's office in Wayland and confirmed that they will be presenting the materials to the Legislature to introduce the bill relative to the Wayland/Sudbury boundary change.

There being no further business to come before the Board, the meeting was adjourned at 10:00 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk